

# Exhibit L



**RECEIPT**

July 24, 2007

Mr. Earl Davis  
c/o Mr. Dean R. Nicypier  
Flemming Zulack Williamson Zauderer LLP  
Law Offices  
One Liberty Plaza  
New York, NY 10006

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The following seven works of art are delivered to Mr. Earl Davis at Sofia Brothers Storage Center, 475 Amsterdam Avenue, New York, NY 10024 by Babcock Galleries:


Artist: Stuart Davis (1892-1964)  
Title: CONFIGURATION, 1932  
Medium: Gouache and pencil on paper  
Size: 11 x 14 inches  
Babcock number: C21837.06

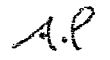
Artist: Stuart Davis (1892-1964)  
Title: SKETCHBOOK (GLOUCESTER), c. 1930  
Medium: Pencil on paper  
Size: 8 x 10 inches  
Babcock number: C21838.06


Artist: Stuart Davis (1892-1964)  
Title: SKETCHBOOK #17-10, 1936  
Medium: Ink on paper  
Size: 6 x 9 inches  
Babcock number: C21839.06

Artist: Stuart Davis (1892-1964)  
Title: CHINESE MERCHANT, 1912  
Medium: Watercolor on paper  
Size: 14 1/2 x 10 1/2 inches  
Babcock number: C21840.06

Artist: Stuart Davis (1892-1964)  
Title: SUFFRAGETTES, 1910  
Medium: Watercolor on paper  
Size: 13 3/4 x 18 3/4 inches  
Babcock number: C21841.06

 Babcock Galleries

 Babcock Galleries

 Mr. Earl Davis

SUFFRAGETTES is returned in the identical frame with a broken glass corner in which it was delivered to Babcock Galleries

BABCOCK GALLERIES

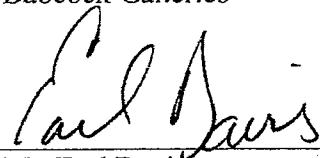
John P. Driscoll, Ph.D. Owner


Page 1 of 2

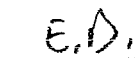
Artist: Stuart Davis (1892-1964)  
Title: DRAWING FOR SMITHS COVE, c. 1935  
Medium: Pencil on paper  
Size: 15 x 20 inches  
Babcock number: C21842.06

Artist: Stuart Davis (1892-1964)  
Title: STUDY FOR PERCOLATER, 1927  
Medium: Pencil on paper  
Size: 20 1/4 x 14 1/2 inches  
Babcock number: C21843.06

 Managing Director  
for Babcock Galleries

  
for Mr. Earl Davis

 Babcock Galleries

 Mr. Earl Davis

# Exhibit M

# SALANDER-O'REILLY GALLERIES, LLC

22 EAST 71ST STREET, NEW YORK, NY 10021 • TEL (212) 879-6606 • FAX (212) 400-4490

August 22, 2007

Released To:

Dean R. Nicyper, Esq.  
Flemming Zulack Williamson Zauderer LLP  
One Liberty Plaza, 35th Floor  
New York, NY. 10006

Stuart Davis, (East) Gloucester-Harbor  
c. 1919  
oil on canvas  
19 x 23 in  
Reg # 5324

RELEASED BY:

RECEIVED BY:

William T. Zauderer  
(print name)

Dean R. Nicyper  
(print name)

[Signature]  
(signature)

[Signature]  
(signature)

8/22/07  
(date)

8/22/07  
(date)

Please sign a copy and return to the gallery.  
Thank you.

# Exhibit N

**SALANDER-O'REILLY GALLERIES, LLC**

112 East 71 Street New York, NY 10021 Telephone 212-879-6606 Fax 646-878-1739

**August 28, 2007**

**Released to**

**Mr. Dean R. Nicyper, Esq.  
Flemming Zulack Williamson Zauderer LLP  
One Liberty Plaza, 35<sup>th</sup> Floor  
New York, NY. 10006**

**Stuart Davis**

*Cigar and Hand Held Before View Looking Northwest from  
Approximately Third Avenue and E. 14th St.  
1930-32, ink on paper  
7 3/8 x 7 3/8 in  
Reg # 5989*

Released by

*[Signature]*  
**Bill Thibodeau**

Date

**8-28-07**

*[Signature]*  
**Salandre O'Reilly**

Received by

*[Signature]*  
**Rei Choi**

Date

**8-28-07**

# Exhibit O



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/27/07

EARL DAVIS,

Plaintiff,

-against-

SALANDER O'REILLY GALLERIES LLC  
f/k/a SALANDER O'REILLY GALLERIES INC.,  
and LAWRENCE B. SALANDER

Defendants.

07 Civ. 4165 (SHS)(DF)

**SCHEDULING ORDER**

**DEBRA FREEMAN, United States Magistrate Judge:**

The Court having held an initial conference on August 21, 2007, with counsel for both parties, it is hereby ORDERED, for the reasons stated on the record, that the parties shall comply with the following schedule for pretrial proceedings in this action:

1. To the extent not already made, initial disclosures under Fed. R. Civ. P. 26(a) shall be served no later than September 4, 2007.
2. Any motions to amend the pleadings or to join additional parties shall be served and filed no later than October 26, 2007.
3. All fact discovery shall be completed no later than November 30, 2007, except that preliminary fact discovery regarding the current status of the works of art at issue in this case (including where these works are currently located, who has possession of them, and whether they are being held on consignment, are on loan, have been purchased, or have been pledged as security), shall be conducted on an expedited basis, prior to September 30, 2007. Such preliminary discovery to be conducted during this time frame may include, at Plaintiff's

discretion, up to three depositions of Defendant's current or former representatives or employees.

4. Expert reports, if any, shall be served no later than December 14, 2007, and expert discovery shall be completed no later than December 31, 2007.

5. The parties shall appear for an in-person status conference on October 3, 2007, at 10 a.m., in Courtroom 17A, 500 Pearl Street, New York, New York 10007.

Dated: New York, New York  
August 27, 2007

SO ORDERED

  
\_\_\_\_\_  
DEBRA FREEMAN  
United States Magistrate Judge

Copies to:

Dean R. Nicyper, Esq.  
Flemming Zulack Williamson Zauderer LLP  
One Liberty Plaza  
New York, NY 10006-1404

David E. Mollon  
Edwin M. Larkin  
Winston & Strawn LLP  
New York, NY 10166

# Exhibit P

Please respond to the following Document Requests in accordance with the Definitions and Instructions set forth herein and in accordance with the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Southern District of New York.

1. All documents concerning any Works, including documents concerning the location of any Works, shipping records, UCC filings, and all agreements, contracts, and other records concerning the acquisition, purchase, sale, consignment, granting of security interests, transfer or other disposal, encumbering or possession of any Works.
2. All documents concerning any efforts made by Salander or SOR, or made on either of their behalves, after January 1, 2005, to obtain information about, learn the whereabouts of, or secure the possession of, the Works.
3. All documents concerning the purchase and/or sale or consignment of any Works from January 1, 1997 to the present.
4. All documents concerning Salander's or SOR's securing or receipt of any and all sale proceeds, or other benefit received by Salander and/or SOR, from the sale or transfer of any Works from January 1, 1997 to the present, including but not limited to any check, money order, wire transfer record, bank deposit, receipt, credit card record, or other record of payment or receipt and any correspondence relating to the transfer of sales proceeds.
5. All documents identifying any current or previous owners of any Works, or anyone who has asserted an ownership or other interest in, or has come into the possession of, any of the Works.
6. All documents relating to any and all claims or notices of claim SOR or Salander made, settled, or withdrew with respect to his or its insurer(s) relating to any theft, damage, loss or other injury concerning any of the Works.
7. The bill of sale, invoice and all other documents relating to each sale by Salander and SOR, or either of them, of any of the Works.
8. All agreements between the Defendants, or either of them, and Earl Davis.
9. All communications between the Defendants, or either of them and Earl Davis, during the period of January 1, 1997 to the present.
10. All SOR internal communications regarding any, some or all of the Works, or regarding Earl Davis, that were created, sent or received during the period January 1, 1997 to the present.
11. All records regarding consignment or delivery of any, some or all of the Works to SOR and Salander, or either of them.
12. All bank statements of SOR for the period January 1, 1997 to the present.
13. All SOR accounting records, including but not limited to trial balances, records of payments made and received, ledgers, wire transfer records, checks received and

cancelled checks paid, and records of sales taxes paid, for the period January 1, 1997 to the present.

14. All records of all payments made by SOR directly or indirectly to, or as payment for an obligation of, Lawrence Salander, Julie Salander, the Seven Salanders Trust, or any other family member, or trust or entity of a family member, during the period January 1, 1997 to the present.

## **DEFINITIONS AND INSTRUCTIONS**

### **Definitions and Rules of Construction**

1. The definitions and rules of construction in Rule 26.3(c) and (d) of the Local Civil Rules of the United States District Court for the Southern District of New York are incorporated by reference into these Document Requests, and are supplemented as permitted by Local Civil Rule 26.3(a) by the definitions and instructions set forth herein.

2. The term “SOR” or “the Gallery” means defendant Salander O’Reilly Galleries, LLC (f/k/a Salander O’Reilly Galleries, Inc.), and its present and former members, directors, managers, employees, agents, attorneys and representatives.

3. The term “Salander” means defendant Lawrence B. Salander.

4. The term “Plaintiff” refers to Earl Davis.

5. The term “Works” means the works of art by artist Stuart Davis identified in Exhibit A hereto.

### **Instructions**

1. These discovery requests call for the production of documents that are in your possession, custody or control, including, but not limited to, those in the possession, custody or control of your employees, agents, representatives or attorneys.

2. You are requested to list any and all documents withheld from production on the grounds of destruction, loss, privilege, or attorney work product, and to specify the grounds or reasons for any objection. With respect to any documents withheld from production on the grounds of privilege or attorney work product, you are requested to supply the following information: (i) the nature of the privilege (including work product) which is being asserted, including the factual and legal basis for the claimed privilege; (ii) the type of document; (iii) the general subject matter of the document; (iv) the date of the document; and (v) such other information as is sufficient to identify the document, including, where appropriate, the author of the document, all addressees and recipients of the document, and, where not apparent, the relationship of the author and each recipient to each other.

3. If any document requested herein, or any portion thereof, was formerly in your possession, custody or control and has been lost or destroyed or you believe that may be the case, you are requested to submit in lieu of such a document, a written statement identifying the author(s), recipient(s), subject matter, date prepared, date when the document was lost or destroyed, the reason(s) for such destruction, the manner of the destruction, and the identity of the person(s) requesting, authorizing and performing the destruction.

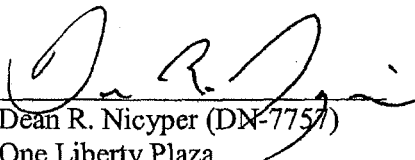
4. If any information is withheld because such information is stored electronically or optically, you are requested to identify the subject matter of the information, the place or places where such information is maintained and the custodian thereof.

5. Each document is to be produced as kept in the usual course of business including, but not limited to, the title or other description on the folder or file in which the document(s) produced is located, and is to be labeled to correspond with the specific numbered request set forth herein and in response to which it is being produced. If a document is being

produced in response to more than one such specific request, the label should identify by number each specific request in response to which it is being produced. If no responsive documents are being produced, you should so state.

Dated: New York, New York  
August 22, 2007

Flemming Zulack Williamson Zauderer LLP

By:   
Dean R. Nicyper (DN-7757)  
One Liberty Plaza  
New York, New York 10006  
(212) 412-9500

Attorneys for Plaintiff Earl Davis

TO: David E. Mollon, Esq.  
Edwin M. Larkin, Esq.  
WINSTON & STRAWN LLP  
200 Park Avenue  
New York, New York 10166-4193  
(212) 294-6700

Attorneys for Defendants



**OIL PAINTINGS**

- Y.4      **Coal Derrick**  
1916 - 17, oil on canvas  
24 1/8 x 30 in  
Reg # 3926
- Y.6      **Dogtown (Hillside with Stone Walls)**  
c. 1916, oil on canvas  
29 1/2 x 23 5/8 in  
Reg # 3928
- Y.7      **Farmer and Horse, Tioga, PA.**  
c. 1919, oil on canvas  
24 x 29 3/4 in  
Reg # 5313
- Y.8      **Airview**  
c. 1916, oil on canvas  
30 1/4 x 24 1/4 in  
Reg # 5322
- Y.10     **Mobil Oil**  
1916, oil on canvas  
23 x 19 in  
Reg # 5334
- Y.12     **(East) Gloucester-Harbor**  
c. 1919, oil on canvas  
19 x 23 in  
Reg # 5324
- Y.14     **Untitled (Rainy Day)**  
c. 1918, oil on canvas  
23 x 19 1/2 in  
Reg # 3947
- Y.17     **Summer House**  
c. 1916, oil on canvas  
18 3/4 x 22 3/4 in
- Y.18     **Portrait of a Man**  
c. 1915, oil on canvas  
23 1/8 x 19 1/8 in  
Reg # 12760

Y.28 **Bleecker Street**

1913, oil on canvas  
38 x 30 in  
Reg # 5326

Y.31 **Harbor Scene**

1914, oil on canvas  
26 1/8 x 38 1/8 in  
Reg # 5343

Y.32 **Woman in Landscape**

1914, oil on board  
12 x 16 in  
Reg # 14390

Y.41 **Bowsprit**

1916, oil on canvas  
23 x 19 in  
Reg # 5318

Y.41A **A Cove, Gloucester Beach**

1916, oil on canvas  
30 x 24 in  
Reg # 3925

Y.45 **Market and Broad Street,  
Newark, New Jersey**

1917, oil on paper  
16 x 12 1/2 in  
Reg # 3938

Y.46 **Windy Night, Newark**

1917  
15 1/2 x 11 1/4 in  
Reg # 3939

Y.52 **Tioga-Tobacco Fields**

1919, oil on canvas  
23 3/4 x 29 3/4 in

Y.53 **Gloucester Landscape**

1919, oil on canvas  
23 7/8 x 29 3/4 in  
Reg # 5328

Y.57 **Setting Sun, Tioga**

1919, oil on canvas  
24 x 30 in  
Reg # 5340A

- Y.61 Tree**  
1921, oil on canvas  
19 7/8 x 25 1/8 in  
Reg # 5321
- Y.62 From the Shore (The Sword Plant)**  
1921, oil on canvas  
15 x 30 in  
Reg# 11241
- Y.64 Tree and Urn**  
1921, oil on canvas  
30 x 19 in  
Reg # 4809
- Y.65 Garden Scene**  
1921, oil on canvas  
20 X 40 in  
Reg # 5344A
- Y.66 Wharf**  
1921, oil on canvas  
15 x 23 in  
Reg # 12758
- Y68A Still-Life with Dial**  
1922, oil on canvas  
49 3/4 x 32 in
- Y.69 Still Life with Egg Beater**  
1922, oil on canvas  
12 x 19 in  
Reg # 3940
- Y69A Red Still-Life**  
1922, oil on canvas  
50 x 32 in
- Y.70 Landscape with Saw**  
1922, Oil on board  
16 x 12 in  
Reg # 2785
- Y.74 Still Life (Any)**  
1922, oil on artist board  
9 x 6 in  
Reg # 10835

- Y74A Brown Still-Life**  
1922, oil on canvas  
50 x 32 in
- Y.81 Interior**  
c.1922, oil on canvas  
20 1/8 x 16 1/8 in  
Reg # 3933
- Y.81- B New Mexican Peak**  
1923, oil on canvas  
22 x 32 1/2 in  
Reg # 5310
- Y.81-C Mexican Girls**  
1923, oil on canvas  
20 x 16 in  
Reg # 4407
- Y.81-D Mexican Family**  
1923, oil on board  
20 1/8 x 16 1/8 in  
Reg # 4406
- Y.82B Indian Com**  
1924, oil on board  
18 3/4 x 24 1/2 in  
Reg # 8456
- Y.82C Roses in a Vase**  
1924, oil on board  
24 1/8 x 18 in  
Reg # 6080
- Y.84A Little Giant Still Life**  
**(black and white version)**  
1953, oil on canvas  
32 7/8 x 43 in  
Reg # 11260
- Y84B Windshield Mirror**  
c. 1954, tempera drawing on canvas  
54 x 76 in
- Y.86 The Plan II**  
1960, oil on canvas  
8 x 12 in

**Y.88 Twilight in Turkey**

1961, oil on canvas  
14 x 18 in  
Reg # 7198

**Y.89 Punchcard Flutter**  
1963, oil on canvas  
24 x 32 in

**Y.93 Letter and His Ecol (Black & White)**  
c. 1962-64, casein on canvas  
24 x 30 in  
Reg # 3956B

**Y.96 Theme for Eye Level**  
c. 1950, oil on canvas  
14 x 10 in  
Reg # 3342

**Y.99 Abstraction**  
c. 1922-23, oil on canvas  
32 x 22 in  
Reg # 3345

**Y.100 Untitled (Black and White  
Variation on Pochade)**  
c. 1958-64, casein on canvas  
45 x 56 in  
Reg # 3346

**WORKS ON PAPER**

**O.1 Suffragettes**  
1910, watercolor on paper  
13 3/4 x 18 3/4 in  
Reg # 3951

**O.11 Chinese Merchant**  
1912, watercolor on paper  
14 1/2 x 10 1/2 in  
Reg # 4784

**O.13 Portrait of Man with Cap**  
1912, watercolor  
10 1/2 x 14 5/8 in  
Reg # 11711

**O.23 Woman with Shawl**  
1918, watercolor  
22 1/2 x 17 1/2 in

- O.23C Glintenkamp on Bleeker**  
1911, watercolor  
17 3/4 x 23 3/4 in  
Reg # 11708
- O.23K The Plaza**  
1918-19, watercolor on paper  
18 x 24 in  
Reg # 3936
- O.27 Untitled**  
1921, watercolor on paper  
23 x 17 in  
Reg # 3963
- O.28 Greek Letter Backwards**  
1921, pencil and watercolor on paper  
17 1/4 x 23 in  
Reg #3962
- O.30A Room Interior**  
1925, watercolor on paper  
12 1/8 x 9 1/2 in  
Reg # 3953
- O.40 Study for Allee**  
1955, gouache  
8 x 35 in
- O.42-A Section Study for Allee**  
1955, gouache  
8 x 11 in
- O.44 Hightstown Turnoff**  
1960, casein  
11 3/8 x 15 1/4 in
- O.47 On Location**  
1963, casein on paper  
8 3/8 x 11 5/8 in  
Reg # 11264
- O.48 Figure with Pear**  
c. 1925, watercolor and pencil on paper  
15 x 18 in  
Reg # 3958

- O.52     Untitled (Pear)**  
1921, watercolor and pencil on paper  
17 x 12 1/4 in  
Reg # 3959
- O.55     Factory, Gas Pump and Boat**  
c. 1930, ink and gouache on paper  
10 x 15 1/2 in  
Reg # 3945
- O.58     Study for Flying Carpet #2**  
1942, gouache  
5 x 7 in
- O.59     Study for Flying Carpet #3**  
1942, gouache  
5 x 7 in
- O.61     Untitled**  
Mixed media and watercolor on paper  
14 1/2 x 9 1/2 in  
Reg # 3954
- O.63     Theater Crowd**  
1911, watercolor on paper  
14 x 18 1/2 in  
Reg # 7161
- O.96     The Saint**  
1943, gouache  
15 x 20 in

#### **DRAWINGS**

- B.6       (Abstract Building composition)**  
c. 1920' s, ink on paper  
16 3/4 x 22 in
- B.10     Composition with Paintings  
and Town Square (Studio Interior with "Plaza")**  
1925, ink on paper  
10 x 11 in  
Reg # 11683
- B.15-A   Drugstore Reflection**  
1931, ink on paper  
11 1/2 x 15 1/4 in

- B.16 Study for Radio City Music Hall Mural**  
1932, pencil on paper  
10 1/2 x 17 in  
Reg # 11250
- B.16A Configuration**  
1932, gouache and pencil on paper  
11 x 14 in  
Reg # 16323
- B.18 Radio Tube**  
1939, pencil on paper  
7 1/8 x 4 3/8 in  
Reg # 6001
- B.19B Drawing for Report from Rockport**  
1940, ink on paper  
24 1/2 x 30 1/2 in  
Reg # 10834
- B.20 Pad Series #I**  
1939, pencil on paper  
34 1/2 x 19 1/2 in  
Reg # 11716
- B.20B Drawing from Pad Series #3**  
1939, pencil on paper  
32 1/4 x 20 1/4 in  
Reg # 4542
- B.29 Study for Percolator**  
1927, pencil drawing  
18 1/8 x 14 1/4 in
- B.50 Summer Landscape**  
1932, pencil on paper  
7 1/8 x 10 3/8 in  
Reg # 11715
- B.84 New York Study**  
undated, pencil on paper  
13 1/4 x 8 3/4 in  
Reg # 7143



- B.86**      **Clock and Telephone**  
c. unknown, ink on paper  
7 1/2 x 5 (sight) in  
Reg # 12827
- B.88**      **(Untitled Drawing 1)**  
ink on paper  
7 3/4 x 6 3/4 in
- B.89**      **Study for Hightstown Turnoff**  
1960, ink on paper  
4 x 6 in  
Reg # 3557
- B.102**     **Sketch for On Location**  
c. 1963, ink and pencil on paper  
4 x 5 7/8 in  
Reg # 3558
- B.104**     **Drawing for Bois**  
pencil on paper  
4 11/16 x 5 9/16 in  
Reg # 4788
- B.116**     **Gloucester Study**  
undated, pencil on paper  
3 1/2 x 5 in  
Reg # 7141
- SD-4**      **Drawing for Smiths Cove**  
c. 1935, pencil on paper  
15 x 20 in  
Reg # 4804

**SKETCHBOOK DRAWINGS**

- 1-1**        **Sketchbook 1-1**  
c. 1931, pencil on paper  
7 3/8 x 11 in  
Reg # 11354

- 1-13** Cigar and Hand Held Before View  
Looking Northwest from Approximately  
Third Avenue and E. 14th St.  
1930-32, ink on paper  
7 3/8 x 7 3/8 in  
Reg # 5989
- 2-13** 6th Avenue E1 from  
Washington Mkt.  
undated, pencil on paper  
9 1/2 x 11 3/4 in  
Reg # 10821
- 3-3** Sketchbook (Gloucester 3-3)  
c. 19301, pencil on paper  
10 3/4 x 14 1/2 in  
Reg # 11688
- 7-15** Street Scene with Boulanger  
c. 1928, pencil on paper  
8 x 10 1/2 in  
Reg # 4545
- 9-4** Sketchbook #9-4 (Sailboat and Lighthouse)  
c. 1932, pencil on paper  
6 x 7 in  
Reg # 7132
- 9-14** Drawing for Garage Lights  
1932, pencil on paper  
7 x 8 in  
Reg # 3586
- 10-4** Sketchbook #10-4 (Eraldine and Phyllis)  
pencil on paper  
7 1/2 x 9 1/3 in  
Reg # 7135
- 10-7** Sketchbook (Gloucester)  
c. 1930-31, pencil on paper  
8 x 10 in  
Reg # 16315
- 11-6** Sketchbook #11-6  
1932, ink on paper  
8 x 10 1/4 in  
Reg # 5198

- 11~19     **Sketchbook**  
(Gloucester Abstractions 11-19)  
1932, ink on paper  
8 x 10 1/4 in  
Reg # 11707
- 11-20     **Untitled {Sketchbook #11-20}**  
1938, ink on paper  
10 1/4 x 8 in  
Reg # 4551
- 13-1      **Study for Max II**  
ink on paper  
10 x 8 in  
Reg # 8458
- 15-5      **Sketchbook (Gloucester 15-5)**  
1933, pencil on paper  
8 x 10 in  
Reg # 11692
- 16-8      **Sketchbook**  
(Gloucester Dock Scenes 16-8)  
1933, pencil on paper  
8 x 10 in  
Reg # 11702
- 17-10     **Sketchbook #17-10**  
1936, ink on paper  
6 x 9 in  
Reg # 5200
- 17-16     **Sketchbook (Gloucester 17-16)**  
1936, pencil on paper  
6 x 9 in  
Reg # 11689
- 17-18     **Sketchbook #17-18**  
1936, ink on paper  
6 x 9 in  
Reg # 5197
- 20-6      **Untitled (New York)**  
1938, ink on paper  
7 x 9 1/2 in  
Reg # 6003

- 23-1     **Drawing for Pennsylvania**  
1947, pencil drawing on paper  
12 x 18 in
- 23-3     **George Wettling Composition**  
1947, pencil on paper  
12 x 18 in  
Reg # 11700
- 23-4     **Rhythm (sic)**  
1947, pencil on tracing paper  
12 x 18 in
- 24-10    **Detail Study from Pad Series #2**  
c. 1946, pencil on paper  
8 1/2 x 8 in  
Reg # 4549

# Exhibit Q

**FLEMMING ZULACK WILLIAMSON ZAUDERER LLP**

LAW OFFICES  
ONE LIBERTY PLAZA  
NEW YORK, NEW YORK  
10006-1404  
(212) 412-9500  
FAX (212) 964-9200

August 16, 2007

**BY HAND**

Dean R. Nicyper

David E. Mollon, Esq.  
Winston & Strawn LLP  
200 Park Avenue  
New York, New York 10166-4193

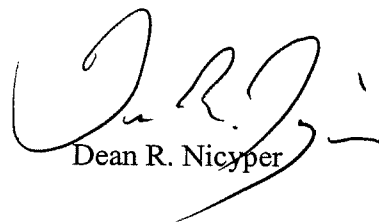
**Re: Davis v. Salander O'Reilly Galleries LLC**  
**07 Civ 4165 (SHS) (DF)**

Dear David:

Enclosed and hereby served on defendants are subpoenas we sent out to be served on the following:

1. Joseph Carroll and Joseph Carroll, Ltd;
2. Marc de Montebello Fine Art;
3. Michael Altman Fine Art;
4. Babcock Galleries;
5. Thea Westreich Fine Art;
6. Simon Parkes Art Conservation;
7. Bernard Goldberg Fine Arts, LLC;
8. Owings Dewey Fine Art;
9. Gerald Peters Gallery; and
10. Carol Craven Gallery

Very truly yours,



Dean R. Nicyper

WRITER'S DIRECT DIAL  
(212) 412-9504  
dnicyper@fzww.com

DRN/ac

Enclosures

# Exhibit R



STATE OF NEW YORK  
DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231-0001

ELIOT SPITZER  
GOVERNOR

LORRAINE A. CORTÉS-VÁSQUEZ  
SECRETARY OF STATE

**FILING ACKNOWLEDGMENT**

July 13, 2007

CORPORATION SERVICE COMPANY  
80 STATE STREET, 6TH FLOOR  
ALBANY NY 12207-0000

Attached is the acknowledgment copy of your recently submitted filing. This filing consists of a total of one page, which is represented in this acknowledgment. This document has been filed with the New York State Department of State, Uniform Commercial Code Division.

The Financing Statement Amendment has been assigned Filing Number: 200707130577008, Filing Date: 07/13/2007. This document has been appended to initial Financing Statement Filing Number: 200602100136056, which was filed on 02/10/2006. The initial Financing Statement will lapse on 02/10/2011 unless continued.

If you have any concerns regarding the way this document is recorded, please contact one of our Customer Service Representatives at (518) 474-4763, or respond in writing to the UCC Data Processing Unit at the address indicated above.

Sincerely,

Uniform Commercial Code Division  
Data Processing Unit

REF #: 325676



CSC 50  
 0325676 DOWN 2007 JUL 13 PM 2:38

## UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]
B. SEND ACKNOWLEDGMENT TO: (Name and Address)

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE # <b>200602100136056</b>	1b. This FINANCING STATEMENT AMENDMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS. <input type="checkbox"/>
--	--

2. ☐ TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.3. ☐ CONTINUATION: Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.4. ☐ ASSIGNMENT (full or partial): Give name of assignee in item 7a or 7b and address of assignee in item 7c; and also give name of assignor in item 9.5. AMENDMENT (PARTY INFORMATION): This Amendment affects ☐ Debtor or ☐ Secured Party of record. Check only one of these two boxes.Also check one of the following three boxes and provide appropriate information in items 6 and/or 7.☐ CHANGE name and/or address: Please refer to the detailed instructions in regards to changing the name/address of a party.☐ DELETE name: Give record name to be deleted in item 6a or 6b.☐ ADD name: Complete item 7a or 7b, and also item 7c; also complete items 7e-7g (if applicable).

## 6. CURRENT RECORD INFORMATION:

6a. ORGANIZATION'S NAME			
Salander-O'Reilly Galleries LLC			
OR 6b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
Salander	Lawrence	B.	Mr.

## 7. CHANGED (NEW) OR ADDED INFORMATION:

7a. ORGANIZATION'S NAME			
OR 7b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
7c. MAILING ADDRESS		CITY	STATE POSTAL CODE COUNTRY
7d. SEE INSTRUCTIONS	ADD'L INFO RE ORGANIZATION DEBTOR	7e. TYPE OF ORGANIZATION	7f. JURISDICTION OF ORGANIZATION
7g. ORGANIZATIONAL ID #, if any			<input type="checkbox"/> NONE

8. AMENDMENT (COLLATERAL CHANGE): check only one box.Describe collateral ☐ deleted or ☐ added, or give entire ☒ restated collateral description, or describe collateral ☐ assigned.

A painting, and all proceeds therefrom, by: Jean-Louis-Andre-Theodore Gericault, 1791-1824  
 The Bride of Abidos, c. 1822-1823  
 oil on canvas, 6 1/4 x 7 3/8 in. (15.8 x 18.7 cm)

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT (name of assignor, if this is an Assignment). If this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here ☐ and enter name of DEBTOR authorizing this Amendment.

9a. ORGANIZATION'S NAME			
Joseph P. Carroll Ltd.			
OR 9b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
Carroll	Joseph	P.	Mr.

## 10. OPTIONAL FILER REFERENCE DATA

FILING NUMBER: 200707130577008

# Exhibit S

240121

2005 OCT 19 12 11 00

## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME &amp; PHONE OF CONTACT AT FILER (optional)

B. SEND ACKNOWLEDGMENT TO (Name and Address)

CSC 50  
DRAW DOWN

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME Insert only one debtor name (1a or 1b) do not abbreviate or combine names

1a. ORGANIZATION'S NAME

Salander O'Reilly Galleries Inc

OR 1b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

1c. MAILING ADDRESS

20 E 79th Street

CITY

New York

STATE

NY

POSTAL CODE

10021

COUNTRY

1d. INSTRUCTIONS

ADDL INFO RE  
ORGANIZATION  
DEBTOR

1e. TYPE OF ORGANIZATION

Corporation

1f. JURISDICTION OF ORGANIZATION

New York

1g. ORGANIZATIONAL ID #, if any

☒ NONE

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME Insert only one debtor name (2a or 2b) if a not abbreviate or combine names

2a. ORGANIZATION'S NAME

OR 2b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

2c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

2d. INSTRUCTIONS

ADDL INFO RE  
ORGANIZATION  
DEBTOR

2e. TYPE OF ORGANIZATION

2f. JURISDICTION OF ORGANIZATION

2g. ORGANIZATIONAL ID #, if any

☐ NONE

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNOR of ASSIGNOR'S) Insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME

Joseph P. Carroll Ltd

OR 3b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

3c. MAILING ADDRESS

c/o Joseph P. Carroll 200 E 66th Street Suite D-1905

CITY

New York

STATE

NY

POSTAL CODE

10021

COUNTRY

4. This FINANCING STATEMENT covers the following collateral:

Painting by Albert Pinkham Ryder entitled "Homeward at Twilight" Oil on canvas, laydown on panel 8"x10"  
Painting by Marden Hartley entitled "Still Life Leathery Leaves" or "Leathery Leaves" Oil on board 23 1/2" x 21 1/2"

5. ALTERNATIVE DESIGNATION (if applicable)	LESSOR/LESSOR	CONSIGNEE/CONSIGNOR	BALENT/BALENT	SELLER/BUYER	AS. LSH	NON-UCC FILING
6. THIS FINANCING STATEMENT is to be filed (for record) (for secured) in the PUBLIC CREDIT RECORD (if applicable)	7. Check to REQUEST SEARCH REPORT (if on UCC1/11)		8. All Debtors		Debtor 1	Debtor 2
9. OPTIONAL FILER REFERENCE DATA						

659049-5-SKE

FILING OFFICE COPY — UCC FINANCING STATEMENT (FORM UCC1) (REV 05/22/02)

FILING NUMBER 200510191124815



DEC 15 2005 11 10AM

Corporation Service Company

NO 9038 P 3

326196

2005 DEC 15 AM 11:17

**Debtor's Name & Address**

Salander-O'Reilly Galleries Inc  
20 East 79 Street  
New York NY 10021

**Secured Party's Name & Address**

Joseph P. Carroll Ltd  
c/o Joseph P. Carroll  
200 East 66 Street, Suite D-1905  
New York, NY 10021

**Collateral**

All the artwork described below and all proceeds thereof and substitutions therefor

Albert Pinkham Ryder, 1847-1917

HOMEWARD AT TWILIGHT

Oil on canvas laid down on panel 8 x 10 in

Original Camg-Rohane Frame inscribed

"Camg-Rohane Shop Inc./ RC & NM Vose/ Boston/1920/ #2521 "

Marsden Hartley, 1877-1943

STILL LIFE LEATHERY LEAVES, c 1920

Oil on board 25 1/2 x 21 1/2 in

Inscribed in pencil on verso "Leathery Leaves by Marsden Hartley"

Two black ink "AS" Alfred Stieglitz Estate Stamps on verso

Odilon Redon, 1840-1916

PAYSAGE ITALIAN

13 x 18 1/4 in (33 x 46.5 cm)

Oil on canvas

Signed twice, bottom left and right, "Odilon Redon"

Odilon Redon 1840-1916

HEAD OF CHRIST, c 1895

11 1/2 x 8 1/2 in (29 x 21.5 cm)

Pastel and gouache on cardboard

Signed "Odilon Redon" lower right

Odilon Redon 1840-1916

HEAD OF WOMAN AND ROSES (Portrait of Camille Redon) c 1881

Charcoal on paper 20 3/4 x 14 3/4 in (52.6 x 37.5 cm)

Signed "Od R" lower left

## UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME &amp; PHONE OF CONTACT AT FILER (optional)

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

2006 JAN 12 AM 11:32

CSC 50  
DR/ DOWN

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #

200510191124815 10/19/2005

1b. This FINANCING STATEMENT AMENDMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS ☐2. ☐ TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.3. ☐ CONTINUATION: Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.4. ☐ ASSIGNMENT (full or partial): Give name of assignee in item 7a or 7b and address of assignee in item 7c; and also give name of assignor in item 9.5. AMENDMENT (PARTY INFORMATION): This Amendment affects: ☒ Debtor or ☐ Secured Party of record. Check only one of these two boxes.

Also check one of the following three boxes and provide appropriate information in items 6 and/or 7.

☐ CHANGE name and/or address: Please refer to the detailed instructions in regard to changing the name/address of a party.☐ DELETE name: Give record name if deleted in item 6a or 6b.☒ ADD name: Complete item 7a or 7b and also item 7c; also complete items 7d-7g (if applicable).

6. CURRENT RECORD INFORMATION:

6a. ORGANIZATION'S NAME

SALANDER - O'REILLY GALLERIES INC.

OR

6b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

7. CHANGED (NEW) OR ADDED INFORMATION:

7a. ORGANIZATION'S NAME

OR

7b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

SALANDER

LAWRENCE

7c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

22 EAST 71 STREET

NEW YORK

NY

10021

7d. SEE INSTRUCTIONS

ADD INFO RE

ORGANIZATION

DEBTOR

7e. TYPE OF ORGANIZATION

7f. JURISDICTION OF ORGANIZATION

7g. ORGANIZATIONAL ID #, if any

INDIVIDUAL

NEW YORK

☐ NONE

8. AMENDMENT (COLLATERAL CHANGE): check only one box

Describe collateral ☐ deleted or ☐ added, or give entire ☐ restated collateral description, or describe collateral ☐ assigned9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT (name of assignor. If this is an Assignment, if this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here ☐ and enter name of DEBTOR authorizing this Amendment).

9a. ORGANIZATION'S NAME

JOSEPH P. CARROLL LTD.

OR

9b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

10. OPTIONAL FILER REFERENCE DATA

SOS NY

807743-010

565

FILING OFFICE COPY — UCC FINANCING STATEMENT AMENDMENT (FORM UCC3) (REV. 05/22/02)

FILING NUMBER: 200601120039153

## UCC FINANCING STATEMENT AMENDMENT

325124

2006 JAN 12 AM 11:32

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME &amp; PHONE OF CONTACT AT FILER (optional)

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

CSC 50  
DRAW DOWN

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #  
200510191124R15 10/19/20051b. This FINANCING STATEMENT AMENDMENT is  
to be filed (for record) (for record) in the  
REAL ESTATE RECORDS.

2. TERMINATION: Effectiveness of the Financing Statement Identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement

3. CONTINUATION: Effectiveness of the Financing Statement Identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is  
continued for the additional period provided by applicable law

4. ASSIGNMENT (full or partial): Give name of assignee in item 7a or 7b and address of assignee in item 7c; and also give name of assignor in item 8.

5. AMENDMENT (PARTY INFORMATION): This Amendment affects ☐ Debtor or ☐ Secured Party of record. Check only one of these two boxes.

Also check one of the following three boxes and provide appropriate information in items 6 and/or 7.

☐ CHANGE name and/or address: Please refer to the detailed instructions  
in regards to changing the name/address of the party.☐ DELETE name: Give record name  
to be deleted in item 8a or 8b.☐ ADD name: Complete item 7a or 7b, and also item 7c  
also complete items 7e-7g if appropriate.

6. CURRENT RECORD INFORMATION:

6a. ORGANIZATION'S NAME

OR SALANDER - O'REILLY GALLERIES INC.

6b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

7. CHANGED (NEW) OR ADDED INFORMATION:

7a. ORGANIZATION'S NAME

OR

7b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

7c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

7d. SEE INSTRUCTIONS

ADD INFO RE  
ORGANIZATION  
DEBTOR

7e. TYPE OF ORGANIZATION

7f. JURISDICTION OF ORGANIZATION

7g. ORGANIZATIONAL ID #, if any

☐ NONE

8. AMENDMENT (COLLATERAL CHANGE): check only one box

Describe collateral ☐ deleted or ☒ added, or give on file ☐ restored collateral description, or describe collateral ☐ assigned

SEE ATTACHED COLLATERAL DESCRIPTION

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT (name of assignor. If this is an Assignment, if this is an Amendment authorized by a Debtor which  
adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here ☐ and enter name of DEBTOR authorizing this Amendment

9a. ORGANIZATION'S NAME

OR JOSEPH P. CARROLL LTD.

9b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

10. OPTIONAL FILER REFERENCE DATA

SOS NY

807743-010

FILING OFFICE COPY — UCC FINANCING STATEMENT AMENDMENT (FORM UCC3) (REV. 05/22/02)

FILING NUMBER: 200601120039191



325124

2006 JAN 12 AM 11:33

**UCC FINANCING STATEMENT AMENDMENT ADDITIONAL PARTY**  
 FOLLOW INSTRUCTIONS (front and back) CAREFULLY

14 INITIAL FINANCING STATEMENT FILE # (same as item 1a on Amendment form)		
200510191124815		
15 NAME OF PARTY AUTHORIZING THIS AMENDMENT (same as item 1a on Amendment form)		
15a. ORGANIZATION'S NAME		
JOSEPH P. CARROLL LTD		
OR	15b. INDIVIDUAL'S LAST NAME	MIDDLE NAME SUFFIX
	FIRST NAME	
16 MISCELLANEOUS		

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

17 ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - Insert only <u>one</u> name (17a or 17b) - do not abbreviate or combine names				
17a. ORGANIZATION'S NAME				
OR	17b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
	SALANDER	LAWRENCE		
17c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
22 EAST 71 STREET		NEW YORK	NY	10021
17d. SEE INSTRUCTIONS	ADDL INFO RE ORGANIZATION DEBTOR	17e. TYPE OF ORGANIZATION	17f. JURISDICTION OF ORGANIZATION	17g. ORGANIZATIONAL ID #, if any
		INDIVIDUAL	NEW YORK	<input type="checkbox"/> NONE
18 ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - Insert only <u>one</u> name (18a or 18b) - do not abbreviate or combine names				
18a. ORGANIZATION'S NAME				
OR	18b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
18c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
18d. SEE INSTRUCTIONS	ADDL INFO RE ORGANIZATION DEBTOR	18e. TYPE OF ORGANIZATION	18f. JURISDICTION OF ORGANIZATION	18g. ORGANIZATIONAL ID #, if any
				<input type="checkbox"/> NONE
19 ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - Insert only <u>one</u> name (19a or 19b) - do not abbreviate or combine names				
19a. ORGANIZATION'S NAME				
OR	19b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
19c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
19d. SEE INSTRUCTIONS	ADDL INFO RE ORGANIZATION DEBTOR	19e. TYPE OF ORGANIZATION	19f. JURISDICTION OF ORGANIZATION	19g. ORGANIZATIONAL ID #, if any
				<input type="checkbox"/> NONE
20 ADDITIONAL SECURED PARTY'S NAME (or Name of TOTAL ASSIGNEE) - Insert only <u>one</u> name (20a or 20b)				
20a. ORGANIZATION'S NAME				
OR	20b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
20c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
21 ADDITIONAL SECURED PARTY'S NAME (or Name of TOTAL ASSIGNEE) - Insert only <u>one</u> name (21a or 21b)				
21a. ORGANIZATION'S NAME				
OR	21b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
21c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY

FILING OFFICE COPY — UCC FINANCING STATEMENT AMENDMENT ADDITIONAL PARTY (FORM UCC3AP) (REV 05/22/02)



DEBTORS: Mr. Lawrence Salander  
22 East 71 Street  
New York NY 10021

Salander-O'Reilly Galleries  
22 East 71 Street  
New York NY 10021

325124

2006 JAN 12 AM 11: 33

SECURED PARTY: Joseph P. Carroll Ltd  
c/o Joseph P. Carroll  
200 East 66 Street, D-1905  
New York, NY 10021-9190

COLLATERIAL

Collateral shall include the following works of art and all proceeds therefrom:

Albert Pinkham Ryder, 1847-1917  
HOMEWARD AT TWILIGHT  
Oil on canvas laid down on panel, 8 x 10 in.  
Original Carrig-Rohane Frame Inscribed:  
"Carrig-Rohane Shop Inc / RC & NM Vose/ Boston/1920/ #2521 "

Marsden Hartley, 1877-1943  
STILL LIFE: LEATHERY LEAVES, c 1920  
Oil on board, 25 1/2 x 21 1/2 in  
Inscribed in pencil on verso: "Leathery Leaves by Marsden Hartley"  
Two black ink "AS" Alfred Stieglitz Estate Stamps on verso.

Ralston Crawford, 1906-1978  
BOX CAR, 1941 - SOR# 25516  
Oil on canvas, 16 x 22 in.

Stuart Davis, 1892-1964  
ELITE (BLACK AND WHITE VARIATION ON POCHADE), c 1956-58  
Casein on canvas, 45 x 56 in  
(Salander-O'Reilly Stuart Davis BLACK AND WHITE catalogue plate seven (#7))

Odilon Redon, 1840-1916  
PAYSAGE ITALIAN  
13 x 18 1/4 in. (33 x 46.5 cm.)  
Oil on canvas, Signed twice, bottom left and right, "Odilon Redon"

Odilon Redon, 1840-1916  
HEAD OF CHRIST, c. 1895  
11 1/2 x 8 1/2 in. (29 x 21.5 cm.)  
Pastel and gouache on cardboard, Signed "Odilon Redon" lower right

Odilon Redon, 1840-1916  
HEAD OF WOMAN AND ROSES (PORTRAIT OF CAMILLE REDON), c. 1881  
Charcoal on paper, 20 3/4 x 14 3/4 in. (52.6 x 37.5 cm.), Signed "Od.R" lower left